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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,337	12/29/2000	Michael E. Carroll	LOT9-2000-0032	8657

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EXAMINER

VU, KIEU D

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 07/15/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/752,337

Applicant(s)

CARROLL, MICHAEL E.

Examiner

Kieu D Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 7-8, 10, 13-14, 16, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Liu et al ("Liu", USP 5706449).

Regarding claims 1, 7-8, 13-14, and 19, Liu teaches, in a system having a user interface (abstract) capable of displaying a plurality of data items (Fig. 14) and receiving user commands (Fig. 15a-15d)), a method comprising receiving, through the user interface, a command to swap ("Swap" in pop-up menu 64) a first displayed data item ("Network" column) with a second displayed data item ("Node" column); obtaining data identifying the first displayed data item (column whose heading was clicked) and the second displayed data item (desired column in the list control 46); and swapping the first displayed data item with the second displayed data item (col 7, lines 10-17).

Regarding claims 4, 10, and 16, Liu teaches that the first displayed data item and the second displayed data item have similar respective data types (alphanumeric).

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

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the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2-3, 9, 15, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu and Ozer et al ("Ozer", USP 4839640).

Regarding claims 2-3, 9, 15, and 17-18, Liu teaches that the first displayed data item and the second displayed data item are displayed adjacent on the user interface (see Fig. 14) and the command (selection) identifying a position of the second displayed data item to a position of the first displayed data item (col 7, lines 10-17). Liu does not teach a directional command identifying a relative direction of a position of the second displayed data item to a position of the first displayed data item. However, the entering a directional command through the user interface is well known in the art as taught by Ozer et al. Ozer teaches an access control system which comprises the use of arrow (directional) keys to enter command (col 17, lines 1-8). It would have been obvious to one of ordinary skill in the art, having the teaching of Liu and Ozer before him at the time the invention was made, to modify the interface method taught by Liu to include the entering directional commands by using arrow keys taught by Ozer with the motivation being to enable the user to quickly and conveniently enter commands.

5. Claims 5-6 and 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Liu and Ramanathan et al ("Ramanathan", USP 5767850).

Regarding claims 5-6 and 11-12, Liu does not teach the defining relative position of displayed data item to an icon. However, such feature is well known in the art as taught by Ramanathan. Ramanathan teaches a relocatable menu icon system which teaches the determining relative position between a menu icon and a title bar (col 7,

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lines 13-17). It would have been obvious to one of ordinary skill in the art, having the teaching of Liu and Ramanathan before him at the time the invention was made, to modify the interface method taught by Liu to include the determining relative position between a menu icon and a displayed item title bar taught by Ramanathan with the motivation being to enable the user to quickly and conveniently locate the displayed data items.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7238 (After Final Communication)

or

(703)-746-7239 (Official Communications)

(703)-746-7240 (For Status Inquiries, draft communication)

and / or:

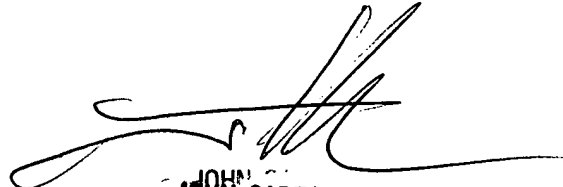
(703)-746-5639 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions)

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703-305-3900).

Kieu D. Vu

July 11, 03.



JOHN CABECA  
SUPERVISOR  
SUPERVISORY PATENT EXAMINER  
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